



Sen. Martin A. Sandoval

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09500SB1751sam004

LRB095 05849 DRH 34562 a

1 AMENDMENT TO SENATE BILL 1751

2 AMENDMENT NO. _____. Amend Senate Bill 1751, AS AMENDED,
3 immediately above the enacting clause by inserting the
4 following:

5 "WHEREAS, This amendatory Act of the 95th General Assembly
6 may be referred to as the Roadway Safety and Mandatory
7 Insurance Coverage Act of 2007; therefore"; and

8 by replacing everything after the enacting clause with the
9 following:

10 "Section 5. The State Finance Act is amended by adding
11 Section 5.675 as follows:

12 (30 ILCS 105/5.675 new)

13 Sec. 5.675. The Secretary of State Driver's Certificate
14 Fund.

1 Section 10. The Illinois Vehicle Code is amended by
2 changing Sections 2-119, 6-106, 6-118, and 6-205 and by adding
3 Section 6-107.5 as follows:

4 (625 ILCS 5/2-119) (from Ch. 95 1/2, par. 2-119)

5 Sec. 2-119. Disposition of fees and taxes.

6 (a) All moneys received from Salvage Certificates shall be
7 deposited in the Common School Fund in the State Treasury.

8 (b) Beginning January 1, 1990 and concluding December 31,
9 1994, of the money collected for each certificate of title,
10 duplicate certificate of title and corrected certificate of
11 title, \$0.50 shall be deposited into the Used Tire Management
12 Fund. Beginning January 1, 1990 and concluding December 31,
13 1994, of the money collected for each certificate of title,
14 duplicate certificate of title and corrected certificate of
15 title, \$1.50 shall be deposited in the Park and Conservation
16 Fund.

17 Beginning January 1, 1995, of the money collected for each
18 certificate of title, duplicate certificate of title and
19 corrected certificate of title, \$2 shall be deposited in the
20 Park and Conservation Fund. The moneys deposited in the Park
21 and Conservation Fund pursuant to this Section shall be used
22 for the acquisition and development of bike paths as provided
23 for in Section 805-420 of the Department of Natural Resources
24 (Conservation) Law (20 ILCS 805/805-420).

1 Beginning January 1, 2000, of the moneys collected for each
2 certificate of title, duplicate certificate of title, and
3 corrected certificate of title, \$48 shall be deposited into the
4 Road Fund and \$4 shall be deposited into the Motor Vehicle
5 License Plate Fund, except that if the balance in the Motor
6 Vehicle License Plate Fund exceeds \$40,000,000 on the last day
7 of a calendar month, then during the next calendar month the \$4
8 shall instead be deposited into the Road Fund.

9 Beginning January 1, 2005, of the moneys collected for each
10 delinquent vehicle registration renewal fee, \$20 shall be
11 deposited into the General Revenue Fund.

12 Except as otherwise provided in this Code, all remaining
13 moneys collected for certificates of title, and all moneys
14 collected for filing of security interests, shall be placed in
15 the General Revenue Fund in the State Treasury.

16 (c) All moneys collected for that portion of a driver's
17 license fee designated for driver education under Section 6-118
18 shall be placed in the Driver Education Fund in the State
19 Treasury.

20 (d) Beginning January 1, 1999, of the monies collected as a
21 registration fee for each motorcycle, motor driven cycle and
22 motorized pedalcycle, 27% of each annual registration fee for
23 such vehicle and 27% of each semiannual registration fee for
24 such vehicle is deposited in the Cycle Rider Safety Training
25 Fund.

26 (e) Of the monies received by the Secretary of State as

1 registration fees or taxes or as payment of any other fee, as
2 provided in this Act, except fees received by the Secretary
3 under paragraph (7) of subsection (b) of Section 5-101 and
4 Section 5-109 of this Code, 37% shall be deposited into the
5 State Construction Fund.

6 (f) Of the total money collected for a CDL instruction
7 permit or original or renewal issuance of a commercial driver's
8 license (CDL) pursuant to the Uniform Commercial Driver's
9 License Act (UCDLA): (i) \$6 of the total fee for an original or
10 renewal CDL, and \$6 of the total CDL instruction permit fee
11 when such permit is issued to any person holding a valid
12 Illinois driver's license, shall be paid into the
13 CDLIS/AAMVAnet Trust Fund (Commercial Driver's License
14 Information System/American Association of Motor Vehicle
15 Administrators network Trust Fund) and shall be used for the
16 purposes provided in Section 6z-23 of the State Finance Act and
17 (ii) \$20 of the total fee for an original or renewal CDL or
18 commercial driver instruction permit shall be paid into the
19 Motor Carrier Safety Inspection Fund, which is hereby created
20 as a special fund in the State Treasury, to be used by the
21 Department of State Police, subject to appropriation, to hire
22 additional officers to conduct motor carrier safety
23 inspections pursuant to Chapter 18b of this Code.

24 (g) All remaining moneys received by the Secretary of State
25 as registration fees or taxes or as payment of any other fee,
26 as provided in this Act, except fees received by the Secretary

1 under paragraph (7) (A) of subsection (b) of Section 5-101 and
2 Section 5-109 of this Code, shall be deposited in the Road Fund
3 in the State Treasury. Moneys in the Road Fund shall be used
4 for the purposes provided in Section 8.3 of the State Finance
5 Act.

6 (h) (Blank).

7 (i) (Blank).

8 (j) (Blank).

9 (k) There is created in the State Treasury a special fund
10 to be known as the Secretary of State Special License Plate
11 Fund. Money deposited into the Fund shall, subject to
12 appropriation, be used by the Office of the Secretary of State
13 (i) to help defray plate manufacturing and plate processing
14 costs for the issuance and, when applicable, renewal of any new
15 or existing registration plates authorized under this Code and
16 (ii) for grants made by the Secretary of State to benefit
17 Illinois Veterans Home libraries.

18 On or before October 1, 1995, the Secretary of State shall
19 direct the State Comptroller and State Treasurer to transfer
20 any unexpended balance in the Special Environmental License
21 Plate Fund, the Special Korean War Veteran License Plate Fund,
22 and the Retired Congressional License Plate Fund to the
23 Secretary of State Special License Plate Fund.

24 (l) The Motor Vehicle Review Board Fund is created as a
25 special fund in the State Treasury. Moneys deposited into the
26 Fund under paragraph (7) of subsection (b) of Section 5-101 and

1 Section 5-109 shall, subject to appropriation, be used by the
2 Office of the Secretary of State to administer the Motor
3 Vehicle Review Board, including without limitation payment of
4 compensation and all necessary expenses incurred in
5 administering the Motor Vehicle Review Board under the Motor
6 Vehicle Franchise Act.

7 (m) Effective July 1, 1996, there is created in the State
8 Treasury a special fund to be known as the Family
9 Responsibility Fund. Moneys deposited into the Fund shall,
10 subject to appropriation, be used by the Office of the
11 Secretary of State for the purpose of enforcing the Family
12 Financial Responsibility Law.

13 (n) The Illinois Fire Fighters' Memorial Fund is created as
14 a special fund in the State Treasury. Moneys deposited into the
15 Fund shall, subject to appropriation, be used by the Office of
16 the State Fire Marshal for construction of the Illinois Fire
17 Fighters' Memorial to be located at the State Capitol grounds
18 in Springfield, Illinois. Upon the completion of the Memorial,
19 moneys in the Fund shall be used in accordance with Section
20 3-634.

21 (o) Of the money collected for each certificate of title
22 for all-terrain vehicles and off-highway motorcycles, \$17
23 shall be deposited into the Off-Highway Vehicle Trails Fund.

24 (p) For audits conducted on or after July 1, 2003 pursuant
25 to Section 2-124(d) of this Code, 50% of the money collected as
26 audit fees shall be deposited into the General Revenue Fund.

1 (g) The Secretary of State Driver's Certificate Fund is
2 created as a special fund in the State treasury. Moneys
3 deposited into the fund shall, subject to appropriation, be
4 used by the Secretary of State to pay for the increase in the
5 costs associated with additional applicants for driver's
6 certificates issued under subsection (b-2) of Section 6-106 and
7 costs associated with specialized verification procedures
8 regarding those applicants.

9 (Source: P.A. 92-16, eff. 6-28-01; 93-32, eff. 7-1-03; 93-840,
10 eff. 7-30-04.)

11 (625 ILCS 5/6-106) (from Ch. 95 1/2, par. 6-106)

12 Sec. 6-106. Application for license or instruction permit.

13 (a) Every application for any permit or license authorized
14 to be issued under this Act shall be made upon a form furnished
15 by the Secretary of State. Every application shall be
16 accompanied by the proper fee and payment of such fee shall
17 entitle the applicant to not more than 3 attempts to pass the
18 examination within a period of 1 year after the date of
19 application.

20 (b) Every application shall state the legal name, social
21 security number, zip code, date of birth, sex, and residence
22 address of the applicant; briefly describe the applicant; state
23 whether the applicant has theretofore been licensed as a
24 driver, and, if so, when and by what state or country, and
25 whether any such license has ever been cancelled, suspended,

1 revoked or refused, and, if so, the date and reason for such
2 cancellation, suspension, revocation or refusal; shall include
3 an affirmation by the applicant that all information set forth
4 is true and correct; and shall bear the applicant's signature.
5 The application form may also require the statement of such
6 additional relevant information as the Secretary of State shall
7 deem necessary to determine the applicant's competency and
8 eligibility.

9 **(b-1)** The Secretary of State may in his discretion
10 substitute a federal tax number in lieu of a social security
11 number, or he may instead assign an additional distinctive
12 number in lieu thereof, where an applicant is prohibited by
13 bona fide religious convictions from applying or is exempt from
14 applying for a social security number. The Secretary of State
15 shall, however, determine which religious orders or sects have
16 such bona fide religious convictions.

17 **(b-2) (1)** In compliance with the federal REAL ID Act,
18 Division B of Public Law 109-13, the Secretary of State, on
19 and after the effective date of this amendatory Act of the
20 95th General Assembly, shall issue to any Illinois resident
21 who meets the requirements of this subsection (b-2) a
22 driver's certificate that shall:

23 **(A)** clearly state on its face that it may not be
24 accepted by any federal agency for any federal
25 identification or other official purpose ("official
26 purpose" being defined under Section 201 of the federal

1 REAL ID Act); and

2 (B) use a unique design or color indicator that
3 shall visually distinguish these certificates from
4 driver's licenses and permits issued under the
5 Illinois Vehicle Code so as to alert federal agency and
6 other law enforcement personnel that these
7 certificates may not be accepted for any federal
8 identification or other official purpose.

9 (2) Any applicant for a driver's certificate issued
10 under this subsection (b-2) must be at least 18 years of
11 age and must:

12 (A) provide the Secretary with a valid individual
13 tax identification number issued by the federal
14 Internal Revenue Service or social security number
15 issued by the federal Social Security Administration;

16 (B) provide a valid passport and any additional
17 documents, as the Secretary may set forth by
18 administrative rule, such that the passport and
19 additional documents in combination shall include the
20 following:

21 (i) a photo identity document, except that a
22 non-photo identity document is acceptable if it
23 includes both the person's full legal name and date
24 of birth;

25 (ii) documentation showing the person's date
26 of birth;

1 (iii) documentation showing the person's name
2 and address of principal residence; provided that
3 the Secretary shall not accept any foreign
4 document, other than a valid official passport,
5 for purposes of this subparagraph; and provided
6 further that the Secretary shall verify, in a
7 manner and form prescribed by the Secretary in
8 administrative rule, the issuance, validity, and
9 completeness of each document presented by the
10 applicant, to satisfy the requirements of this
11 subdivision (b-2) (2) (B); and provided further that
12 the Secretary has the right to reject any document
13 presented by the applicant that cannot be
14 verified; and

15 (C) file with the Secretary of State proof provided
16 to the applicant by the Illinois State Police that a
17 set of the applicant's fingerprints has been collected
18 (costs associated with this fingerprinting shall be
19 paid by the applicant at the time of collection); and

20 (D) surrender all false driver's licenses or State
21 identification cards in the applicant's possession.
22 The Secretary shall handle the surrender of these
23 documents at the Secretary's discretion, provided that
24 no applicant shall be subject to civil or criminal
25 prosecution for the acquisition, possession, use, or
26 distribution of these documents, and provided further

1 that the Secretary shall destroy any relinquished
2 documents within 24 hours of receipt and shall not
3 maintain any records of those documents, except that
4 this requirement does not apply if the Secretary of
5 State can identify a bona fide law enforcement purpose
6 for retaining such documents.

7 (3) The Secretary of State shall provide to the
8 Illinois Department of Revenue all information, including
9 the individual tax identification number, captured on the
10 application. If the Illinois Department of Revenue
11 determines that an individual to whom a driver's
12 certificate was issued is not in compliance with any
13 applicable tax laws administered by the Department of
14 Revenue, the Department of Revenue shall request that the
15 Secretary of State revoke the certificate.

16 (4) Any applicant for or the bearer of a driver's
17 certificate issued under this subsection (b-2) shall be
18 subject to any and all provisions of this Code and any and
19 all implementing regulations issued by the Secretary of
20 State to the same extent as any driver issued a driver's
21 license, including but not limited to the mandatory
22 insurance requirements and penalties set forth in Chapter
23 7, Article VI of this Code, unless otherwise specified in
24 this subsection (b-2). To the extent that any driver is
25 required by law to have a valid Illinois driver's license
26 in order to purchase insurance to comply with the mandatory

1 insurance provisions of this Code, a driver's certificate
2 issued under this subsection (b-2) shall satisfy that
3 requirement. Within 30 days of receiving a certificate, the
4 driver shall provide to the Secretary of State, in a manner
5 and form prescribed by the Secretary, proof of liability
6 insurance coverage for the driver and for any and all
7 vehicles to which the driver has title of ownership; if the
8 driver fails to provide that proof within 30 days, the
9 Secretary is authorized to suspend the certificate until
10 the driver provides that proof.

11 (5) A person denied a driver's certificate under this
12 subsection (b-2) may seek review under the Administrative
13 Review Law. This amendatory Act of the 95th General
14 Assembly does not affect the issuance of any commercial
15 driver's license or school bus driver's permit under the
16 Illinois Vehicle Code or any State identification card
17 under the Illinois Identification Card Act. A driver's
18 certificate issued under this subsection (b-2) may not be
19 used to obtain a Firearm Owner's Identification Card and
20 may not be used to obtain a driver's license in another
21 state.

22 (6) The Secretary of State may provide, in his or her
23 discretion, by rule that an application for a driver's
24 certificate under this subsection (b-2) may include a
25 suitable photograph of the applicant in the form prescribed
26 by the Secretary, and the Secretary of State shall further

1 provide that each driver's certificate shall include a
2 photograph of the driver. The Secretary of State shall
3 utilize a photographic process or system most suitable to
4 deter alteration or improper reproduction of a driver's
5 certificate issued under this subsection (b-2) and to
6 prevent substitution of another photo on the certificate.

7 (b-3) Subsection (b-2) becomes inoperative 5 years after
8 the effective date of this amendatory Act of the 95th General
9 Assembly; however, any document issued under subsection (b-2)
10 shall remain valid until the date set forth on the document by
11 the Secretary of State.

12 (b-4) The Secretary of State may, in his discretion, by
13 rule or regulation, provide that an application for a drivers
14 license or permit may include a suitable photograph of the
15 applicant in the form prescribed by the Secretary, and he may
16 further provide that each drivers license shall include a
17 photograph of the driver. The Secretary of State may utilize a
18 photograph process or system most suitable to deter alteration
19 or improper reproduction of a drivers license and to prevent
20 substitution of another photo thereon.

21 (c) The application form shall include a notice to the
22 applicant of the registration obligations of sex offenders
23 under the Sex Offender Registration Act. The notice shall be
24 provided in a form and manner prescribed by the Secretary of
25 State. For purposes of this subsection (c), "sex offender" has
26 the meaning ascribed to it in Section 2 of the Sex Offender

1 Registration Act.

2 (d) Any male United States citizen or immigrant who applies
3 for any permit or license authorized to be issued under this
4 Act or for a renewal of any permit or license, and who is at
5 least 18 years of age but less than 26 years of age, must be
6 registered in compliance with the requirements of the federal
7 Military Selective Service Act. The Secretary of State must
8 forward in an electronic format the necessary personal
9 information regarding the applicants identified in this
10 subsection (d) to the Selective Service System. The applicant's
11 signature on the application serves as an indication that the
12 applicant either has already registered with the Selective
13 Service System or that he is authorizing the Secretary to
14 forward to the Selective Service System the necessary
15 information for registration. The Secretary must notify the
16 applicant at the time of application that his signature
17 constitutes consent to registration with the Selective Service
18 System, if he is not already registered.

19 (Source: P.A. 92-117, eff. 1-1-02; 93-895, eff. 1-1-05.)

20 (625 ILCS 5/6-107.5 new)

21 Sec. 6-107.5. Ineligible applicants for Firearms Owner's
22 Identification Cards. The Secretary of State shall, in
23 conjunction with the Illinois State Police, establish
24 administrative procedures for determining and identifying
25 ineligible Firearm Owner's Identification Card applicants

1 through information provided to the Secretary of State, through
 2 the driver's license and driver's certificate application
 3 process, to ensure compliance with the Firearm Owners
 4 Identification Card Act.

5 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

6 (Text of Section before amendment by P.A. 94-1035)

7 Sec. 6-118. Fees.

8 (a) The fee for licenses and permits under this Article is
 9 as follows:

| | | |
|----|---|------|
| 10 | Original driver's license | \$10 |
| 11 | Original or renewal driver's license | |
| 12 | issued to 18, 19 and 20 year olds | 5 |
| 13 | All driver's licenses for persons | |
| 14 | age 69 through age 80 | 5 |
| 15 | All driver's licenses for persons | |
| 16 | age 81 through age 86 | 2 |
| 17 | All driver's licenses for persons | |
| 18 | age 87 or older | 0 |
| 19 | Renewal driver's license (except for | |
| 20 | applicants ages 18, 19 and 20 or | |
| 21 | age 69 and older) | 10 |
| 22 | Original instruction permit issued to | |
| 23 | persons (except those age 69 and older) | |
| 24 | who do not hold or have not previously | |
| 25 | held an Illinois instruction permit or | |

1 driver's license 20

2 Instruction permit issued to any person

3 holding an Illinois driver's license

4 who wishes a change in classifications,

5 other than at the time of renewal 5

6 Any instruction permit issued to a person

7 age 69 and older 5

8 Instruction permit issued to any person,

9 under age 69, not currently holding a

10 valid Illinois driver's license or

11 instruction permit but who has

12 previously been issued either document

13 in Illinois 10

14 Restricted driving permit 8

15 Duplicate or corrected driver's license

16 or permit 5

17 Duplicate or corrected restricted

18 driving permit 5

19 Original or renewal M or L endorsement..... 5

20 The fee for a driver's certificate issued under subsection

21 (b-2) of Section 6-106 is \$10 plus an additional fee of not

22 less than \$50, to be set by the Secretary by rule, to cover the

23 additional costs associated with issuing those driver's

24 certificates.

25 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

26 The fees for commercial driver licenses and permits

1 under Article V shall be as follows:

2 Commercial driver's license:

3 \$6 for the CDLIS/AAMVAnet Fund
 4 (Commercial Driver's License Information
 5 System/American Association of Motor Vehicle
 6 Administrators network Trust Fund);
 7 \$20 for the Motor Carrier Safety Inspection Fund;
 8 \$10 for the driver's license;
 9 and \$24 for the CDL: \$60

10 Renewal commercial driver's license:

11 \$6 for the CDLIS/AAMVAnet Trust Fund;
 12 \$20 for the Motor Carrier Safety Inspection Fund;
 13 \$10 for the driver's license; and
 14 \$24 for the CDL: \$60

15 Commercial driver instruction permit

16 issued to any person holding a valid
 17 Illinois driver's license for the
 18 purpose of changing to a
 19 CDL classification: \$6 for the
 20 CDLIS/AAMVAnet Trust Fund;
 21 \$20 for the Motor Carrier
 22 Safety Inspection Fund; and
 23 \$24 for the CDL classification \$50

24 Commercial driver instruction permit

25 issued to any person holding a valid
 26 Illinois CDL for the purpose of

1 making a change in a classification,
 2 endorsement or restriction \$5
 3 CDL duplicate or corrected license \$5

4 In order to ensure the proper implementation of the Uniform
 5 Commercial Driver License Act, Article V of this Chapter, the
 6 Secretary of State is empowered to pro-rate the \$24 fee for the
 7 commercial driver's license proportionate to the expiration
 8 date of the applicant's Illinois driver's license.

9 The fee for any duplicate license or permit shall be waived
 10 for any person age 60 or older who presents the Secretary of
 11 State's office with a police report showing that his license or
 12 permit was stolen.

13 No additional fee shall be charged for a driver's license,
 14 or for a commercial driver's license, when issued to the holder
 15 of an instruction permit for the same classification or type of
 16 license who becomes eligible for such license.

17 (b) Any person whose license or privilege to operate a
 18 motor vehicle in this State has been suspended or revoked under
 19 any provision of Chapter 6, Chapter 11, or Section 7-205,
 20 7-303, or 7-702 of the Family Financial Responsibility Law of
 21 this Code, shall in addition to any other fees required by this
 22 Code, pay a reinstatement fee as follows:

23 Summary suspension under Section 11-501.1 \$250
 24 Other suspension \$70
 25 Revocation \$500

26 However, any person whose license or privilege to operate a

1 motor vehicle in this State has been suspended or revoked for a
 2 second or subsequent time for a violation of Section 11-501 or
 3 11-501.1 of this Code or a similar provision of a local
 4 ordinance or a similar out-of-state offense or Section 9-3 of
 5 the Criminal Code of 1961 and each suspension or revocation was
 6 for a violation of Section 11-501 or 11-501.1 of this Code or a
 7 similar provision of a local ordinance or a similar
 8 out-of-state offense or Section 9-3 of the Criminal Code of
 9 1961 shall pay, in addition to any other fees required by this
 10 Code, a reinstatement fee as follows:

| | | |
|----|---|-------|
| 11 | Summary suspension under Section 11-501.1 | \$500 |
| 12 | Revocation | \$500 |

13 (c) All fees collected under the provisions of this Chapter
 14 6 shall be paid into the Road Fund in the State Treasury except
 15 as follows:

16 1. The following amounts shall be paid into the Driver
 17 Education Fund:

18 (A) \$16 of the \$20 fee for an original driver's
 19 instruction permit;

20 (B) \$5 of the \$10 fee for an original driver's
 21 license;

22 (C) \$5 of the \$10 fee for a 4 year renewal driver's
 23 license; and

24 (D) \$4 of the \$8 fee for a restricted driving
 25 permit.

26 2. \$30 of the \$250 fee for reinstatement of a license

1 summarily suspended under Section 11-501.1 shall be
2 deposited into the Drunk and Drugged Driving Prevention
3 Fund. However, for a person whose license or privilege to
4 operate a motor vehicle in this State has been suspended or
5 revoked for a second or subsequent time for a violation of
6 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
7 the Criminal Code of 1961, \$190 of the \$500 fee for
8 reinstatement of a license summarily suspended under
9 Section 11-501.1, and \$190 of the \$500 fee for
10 reinstatement of a revoked license shall be deposited into
11 the Drunk and Drugged Driving Prevention Fund.

12 3. \$6 of such original or renewal fee for a commercial
13 driver's license and \$6 of the commercial driver
14 instruction permit fee when such permit is issued to any
15 person holding a valid Illinois driver's license, shall be
16 paid into the CDLIS/AAMVAnet Trust Fund.

17 4. \$30 of the \$70 fee for reinstatement of a license
18 suspended under the Family Financial Responsibility Law
19 shall be paid into the Family Responsibility Fund.

20 5. The \$5 fee for each original or renewal M or L
21 endorsement shall be deposited into the Cycle Rider Safety
22 Training Fund.

23 6. \$20 of any original or renewal fee for a commercial
24 driver's license or commercial driver instruction permit
25 shall be paid into the Motor Carrier Safety Inspection
26 Fund.

1 7. The following amounts shall be paid into the General
2 Revenue Fund:

3 (A) \$190 of the \$250 reinstatement fee for a
4 summary suspension under Section 11-501.1;

5 (B) \$40 of the \$70 reinstatement fee for any other
6 suspension provided in subsection (b) of this Section;
7 and

8 (C) \$440 of the \$500 reinstatement fee for a first
9 offense revocation and \$310 of the \$500 reinstatement
10 fee for a second or subsequent revocation.

11 8. The entire amount more than \$10 of any fee for a
12 driver's certificate issued under subsection (b-2) of
13 Section 6-106 shall be deposited into the Secretary of
14 State Driver's Certificate Fund. The Secretary of State
15 shall adopt rules setting the fee for issuing a driver's
16 certificate, in light of the additional costs associated
17 with issuing those driver's certificates.

18 (Source: P.A. 92-458, eff. 8-22-01; 93-32, eff. 1-1-04; 93-788,
19 eff. 1-1-05.)

20 (Text of Section after amendment by P.A. 94-1035)

21 Sec. 6-118. Fees.

22 (a) The fee for licenses and permits under this Article is
23 as follows:

24 Original driver's license \$10

25 Original or renewal driver's license

1 issued to 18, 19 and 20 year olds 5

2 All driver's licenses for persons

3 age 69 through age 80 5

4 All driver's licenses for persons

5 age 81 through age 86 2

6 All driver's licenses for persons

7 age 87 or older 0

8 Renewal driver's license (except for

9 applicants ages 18, 19 and 20 or

10 age 69 and older) 10

11 Original instruction permit issued to

12 persons (except those age 69 and older)

13 who do not hold or have not previously

14 held an Illinois instruction permit or

15 driver's license 20

16 Instruction permit issued to any person

17 holding an Illinois driver's license

18 who wishes a change in classifications,

19 other than at the time of renewal 5

20 Any instruction permit issued to a person

21 age 69 and older 5

22 Instruction permit issued to any person,

23 under age 69, not currently holding a

24 valid Illinois driver's license or

25 instruction permit but who has

26 previously been issued either document

1 in Illinois 10

2 Restricted driving permit 8

3 Duplicate or corrected driver's license

4 or permit 5

5 Duplicate or corrected restricted

6 driving permit 5

7 Original or renewal M or L endorsement..... 5

8 The fee for a driver's certificate issued under subsection

9 (b-2) of Section 6-106 shall be \$10 plus an additional fee of

10 not less than \$50, to be set by the Secretary by rule, to cover

11 the additional costs associated with issuing those driver's

12 certificates.

13 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

14 The fees for commercial driver licenses and permits
15 under Article V shall be as follows:

16 Commercial driver's license:

- 17 \$6 for the CDLIS/AAMVAnet Fund
- 18 (Commercial Driver's License Information
- 19 System/American Association of Motor Vehicle
- 20 Administrators network Trust Fund);
- 21 \$20 for the Motor Carrier Safety Inspection Fund;
- 22 \$10 for the driver's license;
- 23 and \$24 for the CDL: \$60

24 Renewal commercial driver's license:

- 25 \$6 for the CDLIS/AAMVAnet Trust Fund;
- 26 \$20 for the Motor Carrier Safety Inspection Fund;

1 \$10 for the driver's license; and
2 \$24 for the CDL: \$60
3 Commercial driver instruction permit
4 issued to any person holding a valid
5 Illinois driver's license for the
6 purpose of changing to a
7 CDL classification: \$6 for the
8 CDLIS/AAMVAnet Trust Fund;
9 \$20 for the Motor Carrier
10 Safety Inspection Fund; and
11 \$24 for the CDL classification \$50
12 Commercial driver instruction permit
13 issued to any person holding a valid
14 Illinois CDL for the purpose of
15 making a change in a classification,
16 endorsement or restriction \$5
17 CDL duplicate or corrected license \$5

18 In order to ensure the proper implementation of the Uniform
19 Commercial Driver License Act, Article V of this Chapter, the
20 Secretary of State is empowered to pro-rate the \$24 fee for the
21 commercial driver's license proportionate to the expiration
22 date of the applicant's Illinois driver's license.

23 The fee for any duplicate license or permit shall be waived
24 for any person age 60 or older who presents the Secretary of
25 State's office with a police report showing that his license or
26 permit was stolen.

1 No additional fee shall be charged for a driver's license,
 2 or for a commercial driver's license, when issued to the holder
 3 of an instruction permit for the same classification or type of
 4 license who becomes eligible for such license.

5 (b) Any person whose license or privilege to operate a
 6 motor vehicle in this State has been suspended or revoked under
 7 Section 3-707, any provision of Chapter 6, Chapter 11, or
 8 Section 7-205, 7-303, or 7-702 of the Family Financial
 9 Responsibility Law of this Code, shall in addition to any other
 10 fees required by this Code, pay a reinstatement fee as follows:

| | |
|---|-------|
| 11 Suspension under Section 3-707 | \$100 |
| 12 Summary suspension under Section 11-501.1 | \$250 |
| 13 Other suspension | \$70 |
| 14 Revocation | \$500 |

15 However, any person whose license or privilege to operate a
 16 motor vehicle in this State has been suspended or revoked for a
 17 second or subsequent time for a violation of Section 11-501 or
 18 11-501.1 of this Code or a similar provision of a local
 19 ordinance or a similar out-of-state offense or Section 9-3 of
 20 the Criminal Code of 1961 and each suspension or revocation was
 21 for a violation of Section 11-501 or 11-501.1 of this Code or a
 22 similar provision of a local ordinance or a similar
 23 out-of-state offense or Section 9-3 of the Criminal Code of
 24 1961 shall pay, in addition to any other fees required by this
 25 Code, a reinstatement fee as follows:

| | |
|---|-------|
| 26 Summary suspension under Section 11-501.1 | \$500 |
|---|-------|

1 Revocation \$500

2 (c) All fees collected under the provisions of this Chapter
3 6 shall be paid into the Road Fund in the State Treasury except
4 as follows:

5 1. The following amounts shall be paid into the Driver
6 Education Fund:

7 (A) \$16 of the \$20 fee for an original driver's
8 instruction permit;

9 (B) \$5 of the \$10 fee for an original driver's
10 license;

11 (C) \$5 of the \$10 fee for a 4 year renewal driver's
12 license; and

13 (D) \$4 of the \$8 fee for a restricted driving
14 permit.

15 2. \$30 of the \$250 fee for reinstatement of a license
16 summarily suspended under Section 11-501.1 shall be
17 deposited into the Drunk and Drugged Driving Prevention
18 Fund. However, for a person whose license or privilege to
19 operate a motor vehicle in this State has been suspended or
20 revoked for a second or subsequent time for a violation of
21 Section 11-501 or 11-501.1 of this Code or Section 9-3 of
22 the Criminal Code of 1961, \$190 of the \$500 fee for
23 reinstatement of a license summarily suspended under
24 Section 11-501.1, and \$190 of the \$500 fee for
25 reinstatement of a revoked license shall be deposited into
26 the Drunk and Drugged Driving Prevention Fund.

1 3. \$6 of such original or renewal fee for a commercial
2 driver's license and \$6 of the commercial driver
3 instruction permit fee when such permit is issued to any
4 person holding a valid Illinois driver's license, shall be
5 paid into the CDLIS/AAMVAnet Trust Fund.

6 4. \$30 of the \$70 fee for reinstatement of a license
7 suspended under the Family Financial Responsibility Law
8 shall be paid into the Family Responsibility Fund.

9 5. The \$5 fee for each original or renewal M or L
10 endorsement shall be deposited into the Cycle Rider Safety
11 Training Fund.

12 6. \$20 of any original or renewal fee for a commercial
13 driver's license or commercial driver instruction permit
14 shall be paid into the Motor Carrier Safety Inspection
15 Fund.

16 7. The following amounts shall be paid into the General
17 Revenue Fund:

18 (A) \$190 of the \$250 reinstatement fee for a
19 summary suspension under Section 11-501.1;

20 (B) \$40 of the \$70 reinstatement fee for any other
21 suspension provided in subsection (b) of this Section;
22 and

23 (C) \$440 of the \$500 reinstatement fee for a first
24 offense revocation and \$310 of the \$500 reinstatement
25 fee for a second or subsequent revocation.

26 8. The entire amount more than \$10 of any fee for a

1 driver's certificate issued under subsection (b-2) of
2 Section 6-106 shall be deposited into the Secretary of
3 State Driver's Certificate Fund. The Secretary of State
4 shall adopt rules setting the fee for issuing a driver's
5 certificate, in light of the additional costs associated
6 with issuing those driver's certificates.

7 (Source: P.A. 93-32, eff. 1-1-04; 93-788, eff. 1-1-05; 94-1035,
8 eff. 7-1-07.)

9 (625 ILCS 5/6-205) (from Ch. 95 1/2, par. 6-205)

10 Sec. 6-205. Mandatory revocation of license or permit;
11 Hardship cases.

12 (a) Except as provided in this Section, the Secretary of
13 State shall immediately revoke the license, permit, or driving
14 privileges of any driver upon receiving a report of the
15 driver's conviction of any of the following offenses:

16 1. Reckless homicide resulting from the operation of a
17 motor vehicle;

18 2. Violation of Section 11-501 of this Code or a
19 similar provision of a local ordinance relating to the
20 offense of operating or being in physical control of a
21 vehicle while under the influence of alcohol, other drug or
22 drugs, intoxicating compound or compounds, or any
23 combination thereof;

24 3. Any felony under the laws of any State or the
25 federal government in the commission of which a motor

1 vehicle was used;

2 4. Violation of Section 11-401 of this Code relating to
3 the offense of leaving the scene of a traffic accident
4 involving death or personal injury;

5 5. Perjury or the making of a false affidavit or
6 statement under oath to the Secretary of State under this
7 Code or under any other law relating to the ownership or
8 operation of motor vehicles;

9 6. Conviction upon 3 charges of violation of Section
10 11-503 of this Code relating to the offense of reckless
11 driving committed within a period of 12 months;

12 7. Conviction of any offense defined in Section 4-102
13 of this Code;

14 8. Violation of Section 11-504 of this Code relating to
15 the offense of drag racing;

16 9. Violation of Chapters 8 and 9 of this Code;

17 10. Violation of Section 12-5 of the Criminal Code of
18 1961 arising from the use of a motor vehicle;

19 11. Violation of Section 11-204.1 of this Code relating
20 to aggravated fleeing or attempting to elude a peace
21 officer;

22 12. Violation of paragraph (1) of subsection (b) of
23 Section 6-507, or a similar law of any other state,
24 relating to the unlawful operation of a commercial motor
25 vehicle;

26 13. Violation of paragraph (a) of Section 11-502 of

1 this Code or a similar provision of a local ordinance if
2 the driver has been previously convicted of a violation of
3 that Section or a similar provision of a local ordinance
4 and the driver was less than 21 years of age at the time of
5 the offense.

6 (a-5) The Secretary of State shall immediately revoke the
7 driver's certificate issued under subdivision (b-2)(1) of
8 Section 6-106 of this Code, upon notification from the Illinois
9 Department of Revenue that the holder of the driver's
10 certificate is not in compliance with any applicable tax laws
11 administered by the Department of Revenue.

12 (b) The Secretary of State shall also immediately revoke
13 the license or permit of any driver in the following
14 situations:

15 1. Of any minor upon receiving the notice provided for
16 in Section 5-901 of the Juvenile Court Act of 1987 that the
17 minor has been adjudicated under that Act as having
18 committed an offense relating to motor vehicles prescribed
19 in Section 4-103 of this Code;

20 2. Of any person when any other law of this State
21 requires either the revocation or suspension of a license
22 or permit.

23 (c) Whenever a person is convicted of any of the offenses
24 enumerated in this Section, the court may recommend and the
25 Secretary of State in his discretion, without regard to whether
26 the recommendation is made by the court may, upon application,

1 issue to the person a restricted driving permit granting the
2 privilege of driving a motor vehicle between the petitioner's
3 residence and petitioner's place of employment or within the
4 scope of the petitioner's employment related duties, or to
5 allow transportation for the petitioner or a household member
6 of the petitioner's family for the receipt of necessary medical
7 care or, if the professional evaluation indicates, provide
8 transportation for the petitioner for alcohol remedial or
9 rehabilitative activity, or for the petitioner to attend
10 classes, as a student, in an accredited educational
11 institution; if the petitioner is able to demonstrate that no
12 alternative means of transportation is reasonably available
13 and the petitioner will not endanger the public safety or
14 welfare; provided that the Secretary's discretion shall be
15 limited to cases where undue hardship would result from a
16 failure to issue the restricted driving permit.

17 If a person's license or permit has been revoked or
18 suspended due to 2 or more convictions of violating Section
19 11-501 of this Code or a similar provision of a local ordinance
20 or a similar out-of-state offense, arising out of separate
21 occurrences, that person, if issued a restricted driving
22 permit, may not operate a vehicle unless it has been equipped
23 with an ignition interlock device as defined in Section
24 1-129.1.

25 If a person's license or permit has been revoked or
26 suspended 2 or more times within a 10 year period due to a

1 single conviction of violating Section 11-501 of this Code or a
2 similar provision of a local ordinance or a similar
3 out-of-state offense, and a statutory summary suspension under
4 Section 11-501.1, or 2 or more statutory summary suspensions,
5 or combination of 2 offenses, or of an offense and a statutory
6 summary suspension, arising out of separate occurrences, that
7 person, if issued a restricted driving permit, may not operate
8 a vehicle unless it has been equipped with an ignition
9 interlock device as defined in Section 1-129.1. The person must
10 pay to the Secretary of State DUI Administration Fund an amount
11 not to exceed \$20 per month. The Secretary shall establish by
12 rule the amount and the procedures, terms, and conditions
13 relating to these fees. If the restricted driving permit was
14 issued for employment purposes, then this provision does not
15 apply to the operation of an occupational vehicle owned or
16 leased by that person's employer. In each case the Secretary of
17 State may issue a restricted driving permit for a period he
18 deems appropriate, except that the permit shall expire within
19 one year from the date of issuance. The Secretary may not,
20 however, issue a restricted driving permit to any person whose
21 current revocation is the result of a second or subsequent
22 conviction for a violation of Section 11-501 of this Code or a
23 similar provision of a local ordinance relating to the offense
24 of operating or being in physical control of a motor vehicle
25 while under the influence of alcohol, other drug or drugs,
26 intoxicating compound or compounds, or any similar

1 out-of-state offense, or any combination thereof, until the
2 expiration of at least one year from the date of the
3 revocation. A restricted driving permit issued under this
4 Section shall be subject to cancellation, revocation, and
5 suspension by the Secretary of State in like manner and for
6 like cause as a driver's license issued under this Code may be
7 cancelled, revoked, or suspended; except that a conviction upon
8 one or more offenses against laws or ordinances regulating the
9 movement of traffic shall be deemed sufficient cause for the
10 revocation, suspension, or cancellation of a restricted
11 driving permit. The Secretary of State may, as a condition to
12 the issuance of a restricted driving permit, require the
13 applicant to participate in a designated driver remedial or
14 rehabilitative program. The Secretary of State is authorized to
15 cancel a restricted driving permit if the permit holder does
16 not successfully complete the program. However, if an
17 individual's driving privileges have been revoked in
18 accordance with paragraph 13 of subsection (a) of this Section,
19 no restricted driving permit shall be issued until the
20 individual has served 6 months of the revocation period.

21 (d) Whenever a person under the age of 21 is convicted
22 under Section 11-501 of this Code or a similar provision of a
23 local ordinance, the Secretary of State shall revoke the
24 driving privileges of that person. One year after the date of
25 revocation, and upon application, the Secretary of State may,
26 if satisfied that the person applying will not endanger the

1 public safety or welfare, issue a restricted driving permit
2 granting the privilege of driving a motor vehicle only between
3 the hours of 5 a.m. and 9 p.m. or as otherwise provided by this
4 Section for a period of one year. After this one year period,
5 and upon reapplication for a license as provided in Section
6 6-106, upon payment of the appropriate reinstatement fee
7 provided under paragraph (b) of Section 6-118, the Secretary of
8 State, in his discretion, may issue the applicant a license, or
9 extend the restricted driving permit as many times as the
10 Secretary of State deems appropriate, by additional periods of
11 not more than 12 months each, until the applicant attains 21
12 years of age.

13 If a person's license or permit has been revoked or
14 suspended due to 2 or more convictions of violating Section
15 11-501 of this Code or a similar provision of a local ordinance
16 or a similar out-of-state offense, arising out of separate
17 occurrences, that person, if issued a restricted driving
18 permit, may not operate a vehicle unless it has been equipped
19 with an ignition interlock device as defined in Section
20 1-129.1.

21 If a person's license or permit has been revoked or
22 suspended 2 or more times within a 10 year period due to a
23 single conviction of violating Section 11-501 of this Code or a
24 similar provision of a local ordinance or a similar
25 out-of-state offense, and a statutory summary suspension under
26 Section 11-501.1, or 2 or more statutory summary suspensions,

1 or combination of 2 offenses, or of an offense and a statutory
2 summary suspension, arising out of separate occurrences, that
3 person, if issued a restricted driving permit, may not operate
4 a vehicle unless it has been equipped with an ignition
5 interlock device as defined in Section 1-129.1. The person must
6 pay to the Secretary of State DUI Administration Fund an amount
7 not to exceed \$20 per month. The Secretary shall establish by
8 rule the amount and the procedures, terms, and conditions
9 relating to these fees. If the restricted driving permit was
10 issued for employment purposes, then this provision does not
11 apply to the operation of an occupational vehicle owned or
12 leased by that person's employer. A restricted driving permit
13 issued under this Section shall be subject to cancellation,
14 revocation, and suspension by the Secretary of State in like
15 manner and for like cause as a driver's license issued under
16 this Code may be cancelled, revoked, or suspended; except that
17 a conviction upon one or more offenses against laws or
18 ordinances regulating the movement of traffic shall be deemed
19 sufficient cause for the revocation, suspension, or
20 cancellation of a restricted driving permit. The revocation
21 periods contained in this subparagraph shall apply to similar
22 out-of-state convictions.

23 (e) This Section is subject to the provisions of the Driver
24 License Compact.

25 (f) Any revocation imposed upon any person under
26 subsections 2 and 3 of paragraph (b) that is in effect on

1 December 31, 1988 shall be converted to a suspension for a like
2 period of time.

3 (g) The Secretary of State shall not issue a restricted
4 driving permit to a person under the age of 16 years whose
5 driving privileges have been revoked under any provisions of
6 this Code.

7 (h) The Secretary of State shall require the use of
8 ignition interlock devices on all vehicles owned by an
9 individual who has been convicted of a second or subsequent
10 offense under Section 11-501 of this Code or a similar
11 provision of a local ordinance. The Secretary shall establish
12 by rule and regulation the procedures for certification and use
13 of the interlock system.

14 (i) The Secretary of State may not issue a restricted
15 driving permit for a period of one year after a second or
16 subsequent revocation of driving privileges under clause
17 (a)(2) of this Section; however, one year after the date of a
18 second or subsequent revocation of driving privileges under
19 clause (a)(2) of this Section, the Secretary of State may, upon
20 application, issue a restricted driving permit under the terms
21 and conditions of subsection (c).

22 (j) In accordance with 49 C.F.R. 384, the Secretary of
23 State may not issue a restricted driving permit for the
24 operation of a commercial motor vehicle to a person holding a
25 CDL whose driving privileges have been revoked under any
26 provisions of this Code.

1 (Source: P.A. 93-120, eff. 1-1-04; 94-307, eff. 9-30-05.)

2 Section 95. No acceleration or delay. Where this Act makes
3 changes in a statute that is represented in this Act by text
4 that is not yet or no longer in effect (for example, a Section
5 represented by multiple versions), the use of that text does
6 not accelerate or delay the taking effect of (i) the changes
7 made by this Act or (ii) provisions derived from any other
8 Public Act.

9 Section 97. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect July 1,
12 2008.".